

Introduced by Senator Murray

January 26, 2005

An act to amend Section 3010 of the Elections Code, relating to absent voting, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 117, as introduced, Murray. Elections: absentee ballots.

Existing law requires an elections official to provide a qualified applicant for absent voting with the ballot for the precinct in which the voter resides and all supplies necessary for the use and return of the ballot.

This bill would require an elections official to provide a qualified applicant for absent voting with a postage prepaid envelope in which to return the ballot. By imposing additional duties on local elections officials, this bill would impose a state-mandated local program.

This bill would establish the Absent Voting Postage Prepaid Fund, a continuously appropriated fund, and authorize moneys deposited in the fund, to be expended to provide postage prepaid envelopes in which to return an absent ballot.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 3010 of the Elections Code is amended to read:

3010. (a) The elections official shall deliver to each qualified applicant:

~~(a)–~~

(1) The ballot for the precinct in which he or she resides. In primary elections this shall also be accompanied by the ballot for the central committee of the party with which the voter is affiliated, if any.

~~(b)–~~

(2) All supplies necessary for the use and return of the ballot, *including a postage prepaid envelope in which to return the completed absent voter ballot.*

(b) No officer of this state may make any charge for services rendered to any voter under this chapter.

(c) The Absent Voting Postage Prepaid Fund is hereby established in the State Treasury. Moneys in the Absent Voting Postage Prepaid Fund are hereby continuously appropriated and shall be continuously utilized without regard to fiscal years for the payment of expenses incurred by the Secretary of State pursuant to this section. Notwithstanding Section 13340 of the Government Code, all funds appropriated by the Legislature to provide postage prepaid envelopes in which to return completed absent voter ballots shall be deposited into this fund.

SEC. 2. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund, for purposes of Section 3010 of the Elections Code, a sum of money necessary to carry out that section, appropriated without regard to fiscal years.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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